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National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*

Burundi

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Introduction

1. Universal periodic review is a United Nations mechanism to review the human rights situation in each Member State. The first cycle began in 2008 and the second in 2013. All Member States of the United Nations, including Burundi, have participated in this exercise by submitting a report on the human rights situation. This is the third such report.

2. It is the result of tireless research work by the members of the Standing Committee responsible for drafting initial and periodic reports, who were appointed by Order of the Minister of Human Rights No. 225/177 of 3 February 2016.

3. It is also evidence of the Government's wish to honour the commitments it has made, in accordance with the recommendations resulting from the second cycle of the universal periodic review.

I. Background information

A. Burundi

4. Burundi is an East African country with an area of 27,834 km^2, of which 22,950 km^2 are dry land. It is a landlocked country but lies on Lake Tanganyika (32,600 km^2, of which 2,634 km^2 belong to Burundi) in the eastern extension of the Great Rift Valley. Rwanda lies to the north, Tanzania to the south and east, and the Democratic Republic of the Congo to the west.

5. The last General Census of Population and Housing in 2008 (Census, 2008) found it to have a population of 8,053,574, 51 per cent female and 49 per cent male. The annual rate of population increase is 2.4 per cent and average household size is 4.7 persons. The population of Burundi is characterized by extreme youth: according to the age pyramid, young people and children account for more than 60 per cent of the population. Population density was 310 inhabitants per km^2.

6. According to the projections of the Burundi Institute of Statistics and Economic Studies, taking into account the results of the aforementioned census, the population of Burundi is currently estimated at 10,114,505 inhabitants,[1] with a population density of 379 inhabitants per km^2.

7. The population is unequally distributed across the country, with an imbalance between provinces varying from 116.5 inhabitants per km^2 in Cankuzo province to 474.7 in Kayanza province. According to the same source, only 10 per cent of the population live in an urban environment. Bujumbura, the capital, is the largest town.

8. According to the National Strategy of 2013, the economy of Burundi is directly dependent upon the agricultural sector, the annual increase in production of which remains very low (2 per cent) compared with population growth (2.4 per cent). A major challenge for the agricultural sector is that economic growth will have to reach 9 per cent if it is to meet the food needs of the population.

9. From a macroeconomic point of view, a report on the Burundi economy in 2010 shows that agriculture contributes 43 per cent of gross domestic product (GDP), the secondary sector 16 per cent, the tertiary sector 35 per cent and taxation 6 per cent.

10. The administrative organization of Burundi has three levels: the provinces, the communes and the hill districts. The national language is Kirundi. The official languages are Kirundi and other languages determined by law.[2] The national currency is the Burundi franc (F Bu).

11. The principle of the separation of powers is guaranteed by the Constitution. The executive, legislative and judicial branches are independent of each other.

12. The Burundi electoral system is one of universal, equal, secret, free and transparent suffrage. It may be direct or indirect in the conditions provided for by law. The electoral

process of 2015 saw the organization of communal, legislative, senatorial, presidential and hill district elections. The outcome of these elections resulted in women accounting for 36.4 per cent of members of the National Assembly, 41.8 per cent of the Senate, 32.7 per cent at the communal level and 17.1 per cent of hill district councils.

B. Methodology

13. The 3rd cycle universal periodic review report was drafted by the members of the Standing Committee responsible for drafting initial and periodic reports.

14. The production of this report followed successive phases of documentary research, consultation of state and non-state actors working in the human rights field, processing the information gathered, and organizing pre-approval and national approval sessions.

15. The Independent National Human Rights Commission (CNIDH) and civil society were involved and made contributions.

C. Legal and institutional framework

1. Legal framework

16. With regard to legislation, several Acts on the promotion and protection of human rights have been promulgated since 2013. These include: Act No. 1/10 of 3 April 2013 amending the Code of Criminal Procedure; Act No. 1/28 of 5 December 2013 regulating public meetings and demonstrations; Act No. 1/18 of 15 May 2014 on the establishment, terms of reference, composition, organization and functioning of the Truth and Reconciliation Commission; Act No. 1/56 of 4 June 2014 on the electoral code; Act No. 1/26 of 15 September 2014 establishing the Special Land and Property Court and setting out its terms of reference, composition, organization and functioning; Act No. 1/22 of 25 July 2014 regulating the direct action of the State and the communes against their agents and officers for commission of a fault for which the State or commune is liable; Act No. 1/28 of 29 October 2014 on the prevention and punishment of trafficking in persons and protection of its victims; Act No. 1/33 of 28 November 2014 amending Act No. 1/12 of 20 April 2010 organizing the Communal Administration (Communal Entity); Act No. 1/35 of 31 December 2014 on a legal framework for religious confessions; Act No. 1/15 of 9 May 2015 regulating the press in Burundi; Act No. 1/04 of 27 June 2016 on the protection of victims, witnesses and other persons at risk; Act No. 1/13 of 22 September 2016 on the prevention and punishment of gender-based violence and protection of its victims; and Act No. 1/02 of 27 January 2017 on a legal framework for non-profit organizations.

2. Institutional framework

17. There are already institutions to protect and promote human rights, notably the Independent National Human Rights Commission, the National Communication Council (CNC), the office of the Ombudsman, the National Land and Property Commission (CNTB), the courts and tribunals, the Anti-Corruption Brigade, the Anti-Corruption Court and the State General Inspectorate.

18. An institutional framework favourable to respect of human rights has been strengthened since 2013. Particularly of note are: the establishment of the Truth and Reconciliation Commission by Act No. 1/18 of 15 May 2014; the establishment of the National Commission for Dialogue among Burundians (CNDI) by Decree No. 100/34 of 23 September 2015; and the establishment of the General Inspectorate of the Ministry of Human Rights, Social Affairs and Gender, and the Special Land and Property Court.

D. Ratification of international legal instruments and submission of reports

19. Burundi has made significant progress in this regard. It has ratified conventions and protocols recommended by the Human Rights Council during the universal periodic review

of 2013, notably the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto by Act No. 1/07 of 26 March 2014, and the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in September 2013.

20. The following reports have been submitted: the second periodic report on the International Covenant on Civil and Political Rights; the second periodic report on the International Covenant on Economic, Social and Cultural Rights; and, compiled in a single document, the fifth and sixth periodic reports on the Convention on the Elimination of All Forms of Discrimination against Women.

II. Promotion and protection of human rights

A. Civil and political rights

1. Right to equitable justice

21. The International Covenant on Civil and Political Rights and other similar international instruments play a considerable role in promoting equitable justice. Burundi has already transposed the relevant provisions of the instruments ratified into domestic law (article 19 of the Constitution).

22. Under article 205 of the Constitution, justice is administered by the courts and tribunals in the name of the Burundian people. Article 38 of the Constitution provides similarly and stipulates that everyone has the right to have their case heard fairly and decided within a reasonable time. Other constitutional provisions enshrine: the principle of equality before the law and the prohibition on any form of discrimination (art. 22); the principle of legality (art. 41); the presumption of innocence (art. 40); the duty of judges to give reasons for their decisions (art. 207); independence of the judicial branch from the executive and legislative branches (art. 209); the Supreme Court guarantees correct application of the law by the courts and tribunals (art. 221); and the principle that both parties should be heard and respect of the rights of the defence (art. 39, para. 3). These constitutional guarantees have been strengthened by the promulgation of Act No. 1/10 of 3 April 2013 amending the Code of Criminal Procedure. Thus, the rights of the defence (art. 95) and the right not to incriminate oneself or admit guilt (art. 74) are protected. A specific procedure of confession and guilty plea was introduced (arts. 244 to 252). Furthermore, any organization working in the human rights field that has at least three years' professional experience may report sexual violence or any intentional attempt on life or bodily harm to the prosecuting authorities in place of the victim (art. 64). The Code of Criminal Procedure of 2013, also introduced a specific justice system for juveniles in conflict with the law (arts. 222 to 243). Similarly, juvenile rehabilitation centres have been established and financial resources allocated to them.

23. A national strategy of legal aid has been adopted for vulnerable persons; a user guide to the public justice service has been approved and a budget line for legal aid funds adopted.

24. The sectoral policy of the Ministry of Justice has three strategic priorities: an independent judicial system, justice for all and criminal justice that respects human rights. Its vision is to stimulate in Burundi the strengthening of an equitable, modernized and independent justice system accessible to all. This vision guaranteeing the individual right to equitable justice is based upon seven guiding principles: the independence of judges; access to justice; equality before the law; respect of the rights of the defence; collaboration and cooperation; strengthened human capital; and the promotion of information and communication technologies.

2. Right to life

25. With regard to legislation, article 24 of the Constitution of the Republic of Burundi stipulates that "Every woman and every man has the right to life". Articles 195 to 241 of the Criminal Code in force criminalize all acts that violate the right to life. Through Act No.

1/10 of 3 April 2013 amending the Code of Criminal Procedure, Burundi introduced special procedures to prosecute and swiftly punish perpetrators of various offences, including those violating the right to life. This is in particular the case of the special procedure followed in the investigation and trial of cases where the perpetrator has been or is said to have been caught in the act (arts. 209 to 221).

26. Despite the efforts made to protect the right to individual life, Burundi still faces challenges connected with persistent violence, especially since 2015, when lives were lost in the country. Some perpetrators have been identified, prosecuted and convicted, others are still being sought. Now that the situation is under control, there are other isolated cases of violations of the right to life and the Government is striving to find the presumed perpetrators.

3. Freedom of association, assembly, expression and opinion

(a) Legal and regulatory framework

27. Articles 31 and 32 of the Constitution guarantee the fundamental rights of the individual and the citizen. In application of the Constitution, other laws and regulations have been put in place, including: Act No. 1/02 of 27 January 2017 on a legal framework for non-profit organizations; Act No. 1/15 of 9 May 2015 regulating the press in Burundi; Act No. 1/35 of 31 December 2014 on a legal framework for religious confessions; Act No. 1/28 of 5 December 2013 regulating demonstrations on public roads and public meetings; and Ministerial Order No. 530/2181 of 8 December 2016 on the implementation measures of Act No. 1/35 of 31 December 2014 on a legal framework for religious confessions.

(b) Current situation

28. With regard to political parties, two former parties merged to form a new political formation in May 2017. However, seven political parties were suspended by Ministerial Order No. 530-1068 of 18 July 2017 for failure to comply with the law on political parties.

29. Between 2013 and July 2017, the Ministry of interior and Patriotic Training approved 1,761 non-profit organizations and 15 religious confessions governed by the new Act.

30. With regard to the Legal Framework for Foreign Non-Governmental Organizations, since 2013, the Ministry of Interior and Patriotic Training has, in consultation with the Ministry of Foreign Relations and International Cooperation, registered 53 new organizations. Thirty-eight unions have also been approved by the Ministry of the Civil Service, Labour and Employment.

31. In addition, of the five radio stations closed after the attempted coup of May 2015, two have been authorized to begin broadcasting again. Thus, the National Communication Council has authorized nine local and six community radio stations to broadcast.

4. Prohibition of torture

32. Burundi prohibits torture through a series of domestic legislative measures. Efforts have been made to subscribe to international instruments against torture, not forgetting the capacity-building of those working on prevention, victim support and the punishment of acts of torture.

In domestic law

33. After proclaiming the right to freedom of every woman and man, the Burundian Constitution outlaws the torture, cruel, inhuman or degrading treatment or punishment of any human being (art. 25).

34. The Criminal Code, which was amended on 22 April 2009, makes torture an offence (art. 204). The penalties for torture are among the heaviest there are. Depending on the circumstances, they vary from 10 years' penal servitude to life imprisonment (arts. 205–207). These sentences are irreducible and may be accompanied by other penalties (art. 209).

35. The Code of Criminal Procedure of 3 April 2013 renders the State liable in full for harm resulting from torture committed by agents of the State in the performance of their duties (art. 289). In cases where the State compensates a victim of torture it may sue the agent who has committed torture and any accomplices (art. 290). The same Act extends the right to apply to join the proceedings as a civil party to any legally approved organization the purpose of which is to combat sexual violence or any other intentional infringement of life and bodily harm (and, by implication, torture).

36. The action of the State against an agent or officer for commission of a fault is now governed by Act No. 1/22 of 25 July 2014 regulating the direct action of the State and the communes against their agents and officers for commission of a fault for which the State or commune is liable. All this legal protection demonstrates the determination of the Government to tackle the impunity of persons responsible for acts of torture.

37. At the international level, Burundi, already a party to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, ratified the Optional Protocol thereto in September 2013.

38. Regarding strengthening the capacities of those working on the prevention and punishment of torture, Burundi has continued its efforts in the field of training judges and police officers. These efforts are unfortunately hampered at present by the withdrawal of some of Burundi's traditional technical and financial partners.

5. Combating gender-based violence

(a) Legal and regulatory framework

39. Equality between men and women is in principle enshrined in article 13 of the Constitution of the Republic of Burundi, which provides: "All Burundians are equal in merit and in dignity. All citizens enjoy the same rights and have the right to the same protection of the law. No Burundian shall be excluded from the social, economic or political life of the nation on the grounds of race, language, religion, sex or ethnic origin." Similarly, article 22 of the Constitution provides that "All citizens are equal before the law, which guarantees them legal protection. No one may be the object of discrimination because of their origin, race, ethnicity, sex, colour, language, social situation, religious, philosophical or political convictions or on grounds of a physical or mental disability or of carrying HIV/AIDS or any other incurable disease."

40. To make these principles effective, Burundi has put in place Act No. 1/13 of 22 September 2013 on the prevention and punishment of gender-based violence and protection of its victims.

(b) Institutional framework

41. The establishment of gender units in the various ministries demonstrates the Government's will to combat this scourge. The Government has also established special court chambers for juveniles and gender-based violence.[3]

42. In the framework of the Great Lakes Emergency Sexual and Gender-Based Violence and Women's Health plan, three integrated gender-based violence centres have been established at the hospitals of Cibitoke, Makamba and Muyinga. They have been operational since 20 February 2017.

(c) Operational framework

43. Burundi has continued to implement the National Action Plan on Resolution 1325 (2012–2016) and the National Gender Policy Action Plan 2012–2016. These action plans, currently being updated, aim to: raise the awareness of all stakeholders of the imperatives of preventing the effects of conflicts on women and girls; protect women and girls from gender-based violence and its many consequences; promote the participation of women and girls in decision-making bodies on the consolidation of peace and economic recovery; and promote the rights of women and girls.

44. Capacity-building has been organized for the various actors involved in combating gender-based violence. Awareness-raising, training and information sessions have been held for civil society organizations working in this field, opinion leaders, community health workers and other health service providers, those working in family and community development centres,[4] members of organizations, students, teachers, police officers, judges, prisoners, etc.

Cases of gender-based violence handled by the Special Chamber for Juveniles and Victims of Gender-Based Violence in Burundi between 2013 and May 2017

Year	*Cases*
2014	279
2015	225
2016	141
2017	32

Source: Reports of the Directorate General of Police.

B. Economic, social and cultural rights

1. Right to education

45. The right to education is recognized by article 53 of the Burundian Constitution. In application of the Constitution, Burundi has developed policies, strategies, legislation, programmes and plans to promote access to education for all. In order to do so, Burundi has put in place an education policy the objective of which is universal access to basic schooling. This policy introduced a reform of basic education, in which the primary phase has increased from six to nine years. The effect was a more than 28 per cent increase in pupils in the sixth year of basic education between 2010 and 2015.

46. The objective of the Government is gradually to admit all children as it builds the necessary capacities to do so. Some of the children who have not been able to access the seventh year of basic education will receive training in a vocational training centre. The table below shows the numbers in basic education.

(a) Numbers in basic education

Overall data for basic education 2013–2016

School year 2013/14

			Pupils	
Type of school	*Number of schools*	*Number of classes*	*F*	*M*
Public/State	2 642	19 307	709 244	693 845
Public under contract	1 153	9 929	348 447	336 429
Private	116	836	14 598	14 592
Consular	2	10	309	333
Total	**3 913**	**30 082**	**1 072 598**	**1 045 199**

School year 2014/15

			Pupils	
Type of school	*Number of schools*	*Number of classes*	*F*	*M*
Public/State	2 633	19 653	726 157	712 104
Public under contract	1 256	10 768	370 234	357 827
Private	144	1 012	18 145	17 608
Consular	2	13	408	349
Total	**4 035**	**31 446**	**1 114 944**	**1 087 888**

School year 2015/16

			Pupils	
Type of school	*Number of schools*	*Number of classes*	*F*	*M*
Public/State	2 668	19 947	762 661	748 462
Public under contract	1 284	11 000	386 891	373 823
Private	186	1 385	20 872	20 493
Consular	3	25	727	682
Total	**4 141**	**32 357**	**1 171 151**	**1 143 460**

Source: Ministry of Education Statistics Office.

(b) Girls' education

47. Regarding girls' education, Burundi is making efforts to eliminate the discrimination connected with traditional attitudes. These efforts include the following: adoption of the gender equity in education strategy in 2012, accompanied by a regularly monitored action plan 2012-2020 to promote girls' education; abolition of school fees in basic education; and continuing to coordinate and finance initiatives aimed at promoting the education of girls and women through the United Nations Girls' Education Initiative (UNGEI). These initiatives aim in particular to raise parental awareness and set up UNGEI committees at provincial and communal levels to identify girls who do not go to school or have dropped out and to enrol them in school.

48. Thanks to these initiatives, in the school year 2014/15, the gross enrolment ratio rose to 133.4 per cent for girls and 135.4 per cent for boys. In the same year, the net enrolment ratio was 93.9 per cent for girls, compared with 94.9 per cent for boys. The national gender parity indicator is primary education rose to 1.05 in 2015.[5]

2. Right to health

49. Since health is a legal right under article 55 of the Constitution, the Government of Burundi, through the national health policy 2016–2025, has made a firm commitment constantly to improve the state of health of the population. The policy is the sole national 10-year reference for all those working and all interventions in the health sector in Burundi and is therefore the reference for the development of two national health plans, 2016–2020 and 2021–2025.

50. The health of the Burundian population remains relatively poor, however.[6] The crude death rate is 15 per 1,000 (Census, 2008) and life expectancy is 56 years.[7] The maternal mortality ratio is high, at between 500[8] and 740[9] deaths per 100,000 live births. The neonatal mortality rate is also high, at 36 deaths[10] per 1,000 live births, which alone accounts for 43 per cent[11] of all deaths of children under 5 years. Malnutrition is endemic and severely affects children under 5, some 63 per cent of whom suffer from chronic malnutrition (-2 SD).[12]

51. This situation is connected with several factors. First, to the significant weight of the determinants of health (household poverty, the population explosion, nutrition, the environment, gender, social inequalities, etc.). Second, the poor health system, the burden of transmissible and non-transmissible diseases, and the vulnerability of mothers, newborns, children, adolescents and the elderly. A table of the main health indicators in Burundi is annexed to this report.

3. Right to work

52. Article 54 of the Constitution of the Republic of Burundi recognizes the right to work to all citizens.

53. Reforms have been introduced to promote employment. Some progress can be noted, such as: the development of the National Employment Policy, adopted on 12 November 2014; the establishment of the Burundi Employment and Manpower Office (OBEM); the establishment of the National Social Dialogue Committee (CNDS); the development of the National Plan of Action to Combat the Worst Forms of Child Labour; implementation of the National Administrative Reform Policy; and the establishment of a youth employment fund.

4. Right to housing

54. The Government of Burundi has introduced the housing and urbanization policy, which provides a coherent basis for the villagization policy. The latter has the following objectives: to gather rural populations into modern villages; to free up cultivable land; to improve the conditions of low-income citizens; to guarantee improved access to basic infrastructure, including housing; and to safeguard the environment and improve rural housing. This policy was introduced in 2011 and during its first phase aims to build 100 villages, i.e. 25 per year.

C. Rights of particular groups

1. Individual rights of women

(a) Legal framework

55. The Constitution of the Republic of Burundi guarantees non-discrimination in the aforementioned article 22, and in article 13, which provides that "All citizens enjoy the same rights and have the right to the same protection of the law. No Burundian may be excluded from the social, economic or political life of the nation on the grounds of race, language, religion, sex or ethnic origin." The Constitution reserves a minimum of 30 per cent of elective posts for women, while the Electoral Code of 2014 extends this quota to communal councils in order to guarantee substantial representation of women in decision-making bodies.

56. In order to confront trafficking in persons, Burundi adopted Act No. 1/28 of 29 October 2014 on the prevention and punishment of trafficking in persons and protection of its victims.

57. Moreover, in order to strengthen strategies to combat violence against women, Act No. 1/13 of 22 September 2016 on the prevention and punishment of gender-based violence and protection of its victims was promulgated.

(b) Institutional framework

58. As mentioned above, the Government has put in place gender offices and units in all relevant ministries.

(c) Operational framework

59. Burundi has continued to implement the National Gender Policy inspired by the Beijing Platform for Action by implementing its Action Plan 2012–2016, and the Plan of

Action of United Nations Security Council resolution 1325 on Women, Peace and Security 2012–2016.

60. Regarding the empowerment of women, a $740,000 fund has enabled loans totalling $647,400 to be granted to 5,168 persons, 3,858 of whom are women.[13] The Government encourages women's organizations to become involved in trade and make efforts to strengthen managerial and business capacities. Many women's organizations are now involved in trade, microcredits and other business activities.

61. With regard to decision-making bodies, considerable progress was made at the 2015 elections, as the following table shows:

Indicators	*2013*	*2014*	*2015*
% seats occupied by women in the National Assembly	31.7%	29.2%	36.4%
% seats occupied by women in the Senate	46%	46.3%	41.8%
% of female communal administrators	31%	31.7%	33.6%
% of female heads of hill districts	7.1%	5.3%	6.3%

Source: Data of the National Independent Electoral Commission (CENI).

2. Rights of the child

62. Burundi has made great progress regarding the administration of justice for juveniles. The Code of Criminal Procedure of 2013 mainly introduced innovations concerning the preliminary investigation, the judicial investigation and the prosecution and trial of juveniles under 18 years old (arts. 222 to 243). These include: compulsory legal assistance of children throughout the proceedings; compulsory accompaniment of children by their parents or relatives; compulsory social investigation of the child; compulsory separation of juvenile and adult detainees; speedy treatment of juvenile cases with the introduction of orange files; the establishment of specialized juvenile chambers in courts; introduction of in camera hearings in prosecutions involving juveniles; and the establishment of two juvenile rehabilitation centres for minors in conflict with the law.

63. The various initiatives to bring the juvenile justice system into line with international standards have led to a reduction in the number of juveniles in detention and an improvement in their conditions of detention. Thus, while in 2012 there were 440 juveniles in conflict with the law countrywide and more than 120 infants living with their mothers in detention centres, at the end of 2015, 145 were detained and 48 infants were with their mothers in prison.[14]

64. Moreover, steps have been take to tackle the phenomenon of street children. In December 2013, the Government adopted a National Strategy to Prevent and Combat the Phenomenon of Street Children. A national platform of those working in this field (state services and civil society) implements the National Action Plan aimed at prevention, and the identification and reintegration of victims in their families and communities and combating this phenomenon.

65. These measures have been taken to strengthen other government actions through, in particular, the *Centre d'Encadrement et de Réinsertion des Enfants Soleil* (CERES) and the *Projet Enfants Soleil* (PES), which remove children from the street and reintegrate them in society and work. Other civil society organizations are also involved in the family reintegration of such children.

3. Rights of the Batwa

66. Article 22 of the Constitution of the Republic of Burundi protects all citizens from discrimination. The Batwa therefore enjoy the same civil and political rights as other Burundian citizens.

67. In recent years, affirmative measures have been taken, including to ensure that minorities are represented in Parliament through a quota system. Thus the Constitution

gives the Batwa three seats in the National Assembly, three in the Senate and one seat in the Parliament of the East African Community. A representative of the Batwa communities was recently appointed to the Land and Property Commission, as a member of the East African Legislative Assembly (EALA), as representatives to the State General Inspectorate and the National Commission for Dialogue among Burundians, and an officer was appointed to the Ministry of Human Rights.

68. Moreover, as a result of the Government's introduction of free primary education in 2009, the number of Batwa children in primary education is increasing. Health care and consultations are now free for poor Batwa families and children. The Batwa are also taken into account by the villagization policy.

69. Other positive measures taken by the Government include the distribution of land to the Batwa to help them become sedentary. The Ministry of Human Rights, Social Affairs and Gender is also bearing certain costs of marriage ceremonies and in the event of hospitalization. International partners are supporting projects to promote citizenship and access to justice for the Batwa community.

4. Rights of albinos

70. Awareness-raising campaigns have been conducted in Burundi to ensure the protection of persons with albinism, especially children. Neighbourhood policing has even been introduced to protect such persons. The Government has also approved organizations for the defence of people with albinism, including *Albinos sans frontières* and the *Organisation pour la Protection des Albinos* (OPA-Burundi), whose objective is to help persons with albinism to defend their rights.

71. The Ministry of Human Rights, Social Affairs and Gender continues to allocate F Bu 900,000 to such organizations to provide for the nutritional, educational and health needs of persons with albinism.

72. Nonetheless, there remain difficulties connected with diseases affecting their eyes and skin that require expensive medicines.

5. Disaster victims

(a) Displaced persons and refugees

73. The existence of internally displaced persons camps, the appearance of new refugees in neighbouring countries following the political crisis of 2015, and the victims of natural disasters caused by climate change in certain parts of the country mean that there are still various categories of disaster victims.

74. In late June 2016, at least 267,887 Burundians, more than half of them children, fled to neighbouring countries.[15] In 2016, there were 41,752 internally displaced persons belonging to 8,769 households in Burundi.

75. Burundi is continuing its efforts to reintegrate disaster victims, including by putting in place the National Reintegration Strategy, 2nd generation (2016–2020), the objectives of which are to enable each target group: to regain geographical stability in order to acquire a lasting physical place in host communities; to have the means of economic subsistence enabling them to access opportunities offered by productive systems and local markets, including employment; and to have a position that makes it possible to participate fully in community, associative and political life in partnership with other members of the community.

76. The Government has set up the National Commission for Dialogue among Burundians to improve the political climate in order to foster mass return of refugees to the country. Awareness-raising sessions have also been organized in Burundian refugee camps. In the framework of the reintegration of those displaced by war, a Special Land and Property Court was set up in 2014 to speed up cases connected with reclaiming land and other property lost during the various crises.

(b) Persons displaced by climate change

77. Burundi has experienced many events linked to climate change, which have caused increased movements of internally displaced persons towards places of refuge. Three major events have marked the country, causing enormous damage. The torrential rains of 1 May 2016 in Gatumba Commune, Bujumbura Province resulted in the displacement of 755 households, of which 303 were sheltered in the Mushasha I site and 102 in the Mushasha II site, while 350 others found refuge in other households in Bujumbura unaffected by this natural disaster.

78. Prior to that were the landslides that affected two communes in Rumonge Province, Muhuta on Gitaza hill on 25 January 2016 and Bugarama on Cashi hill on 6 November 2015. A great deal of damage was recorded, including the destruction of homes and social and public infrastructure.

79. The most destructive event was the catastrophe that took place on the night of 9 to 10 February 2014 in Bujumbura Mairie in the northern districts of the capital, especially those of Gatunguru and Carama, when torrential rains, with run-off, erosion, collapse and overflowing watercourses caused enormous damage. In addition to 89 dead and many wounded, some F Bu 2.5 billion worth of crops were lost (provisional estimate of the Ministry of Agriculture and the Food and Agriculture Organization of the United Nations (FAO)). More than 3,000 homes were destroyed; 1,217 households found refuge in the four displacement sites of Buterere, Kamenge, Kinama I and Kinama II, while more than 2,000 other households found refuge in host families.[16]

80. In addition to these three major events, other natural disasters have hit Burundi and caused the internal displacement of many victims, including: the drought that caused the famine-related displacement of 1,557 persons in Kirundo and Cankuzo provinces; the torrential rains in the provinces of Muyinga, Cankuzo and Rutana that destroyed houses and displaced 512 persons; the landslides that displaced 78 persons in the provinces of Muyinga and Makamba; and the high winds that displaced 371 persons and destroyed houses and public infrastructure, notably in the provinces of Rutana, Muyinga and Rumonge.[17]

81. Faced with all these natural disasters, the Government of Burundi has implemented policies, strategies and action plans on infrastructure and disaster risk management, including the city planning blueprint, the rainwater treatment master plan, the national strategy to strengthen disaster risk reduction capacities and the National Action Plan to adapt to climate change, with three categories of activities: emergency — activities to prevent further damage; medium-term — activities to restore infrastructure; and long-term — activities to enable resilient reconstruction.

82. In order to tackle these problems, a total of F Bu 164 billion have been set aside. Of this, F Bu 134 billion have been allocated for the repair or development of infrastructure and risk and disaster management. At the same time, F Bu 30 billion have been earmarked for the stabilization of watersheds, particularly around Bujumbura.[18]

D. Transitional justice

83. The Government of Burundi set up the Truth and Reconciliation Commission under Act No. 1/18 of 15 May 2014 on the establishment, terms of reference, composition, organization and functioning of the Truth and Reconciliation Commission (CVR). The Commission's mission is to investigate and establish the truth about the serious human rights violations committed between 1 July 1962 and 2008, when hostilities ceased.

84. To support the mission of the Commission, Act No. 1/04 of 27 June 2016 on the protection of victims, witnesses and other persons at risk was promulgated. As at 24 February 2017, the Truth and Reconciliation Commission had received 342 statements in Muhuta commune, 74 in Nyahangwa commune and 56 in Mukaza commune.[19]

III. Follow-up of recommendations made to Burundi following the second universal periodic review

85. Burundi has implemented some of the recommendations arising from the second cycle of the universal periodic review, including:

- Ratifications: of the seven conventions and protocols recommended, Burundi ratified the Optional Protocol to the Convention Against Torture in September 2013, and the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto in March 2014.
- Guarantee of public freedoms: repeal was recommended of the restrictive provisions contained in the Press Act, the Act on public demonstrations and meetings and the Act on non-profit organizations. Burundi has revised the relevant legal framework (see above).
- Transparent establishment of transitional justice mechanisms: Burundi has established the Truth and Reconciliation Commission.
- Combating violence against women: promulgation of Act No. 1/13 of 22 September 2016 on the prevention and punishment of gender-based violence and protection of its victims, and establishment of three integrated gender-based violence centres, in addition to the Humura Centre.
- Combating discrimination, and child protection: specialized chambers for the protection of juveniles in conflict with the law have been established in regional courts; on 27 November 2015, Burundi set up a telephone helpline (+257) 116) for children to call in case of danger; two rehabilitation centres have been established for juveniles in conflict with the law.
- Combating poverty: Burundi has continued to implement the Strategic Framework for Growth and to Combat Poverty (CSLP II) and to prepare the National Development Plan.
- Strengthening the National Human Rights Commission: four regional offices have been established and provincial focal points put in place.
- Strengthening the internal legal framework to strengthen the rule of law: promulgation of Act No. 1/10 of 3 April 2013 amending the Code of Criminal Procedure, and adoption of the sectoral policy of the Ministry of Justice 2016–2020.
- Reducing prison overcrowding, and separating the places of detention of pregnant women and mothers with children. This has been done through presidential pardons, the installation of women's sections in prisons, and the establishment of rehabilitation centres for juveniles in conflict with the law.
- Protection of victims and witnesses during the work of the Truth and Reconciliation Commission: Burundi has adopted Act No. 1/04 of 27 June 2016 on the protection of victims, witnesses and other persons at risk.
- Reducing prolonged detention: places of detention are regularly inspected by the Ministry of Justice, the Ministry of Human Rights, the National Human Rights Commission and the International Committee of the Red Cross (ICRC).
- Promotion of girls' education and eradication of the root causes of school dropout: Burundi continues to implement the gender equity in education strategy of 2012 and the related action plan 2012–2020.

IV. Identification of best practices, problems and obstacles

86. Best practices:

- National gender-based violence strategies and an Act concerning such violence.
- Amendment of the Code of Criminal Procedure to introduce a juvenile justice system.

- Free basic education, free health care in public health facilities for children under five and women in childbirth.
- Frequent questioning of the executive by Parliament.

87. Challenges and obstacles:

- Insufficient financial resources.
- Freezing of support by the international community.
- The mismatch between the population explosion and the national economy.
- The production of false reports on human rights by some NGOs in order to tarnish Burundi's image.

V. National priorities, initiatives and commitments

88. The Government of Burundi is committed to continuing to promote and protect human rights through:

- Vision Burundi 2025.
- The Strategic Framework for Growth and to Combat Poverty.
- The National Development Plan.
- The citizenship education and patriotic training programme.
- Implementation of the action plan of the national human rights policy 2012-2017, adopted on 31 January 2013.

VI. Capacity-building and technical assistance expectations

89. The capacities of the Standing Committee responsible for drafting initial and periodic reports need constant reinforcement in order to enable Burundi to keep up-to-date with the production of such reports.

90. The Truth and Reconciliation Commission also needs assistance if it is to accomplish fully the missions assigned to it by its terms of reference.

Notes

[1] Données recueillies en 2016.
[2] Loi N°1 010 du 18 mars 2005 portant promulgation de la Constitution de la République du Burundi. Article 9, Alinéa 1
[3] Ordonnance Ministérielle n°550/1622 du 19 novembre 2013 portant Mission, Composition et Fonctionnement des Chambres Spéciales pour Mineurs et Victimes des Violences Sexuelles au Burundi
[4] Centres de Développement Familial et Communautaire
[5] Bureau des Statistiques au Ministère en charge de l'Education Nationale
[6] OMS-Burundi. Stratégie de coopération avec le pays 2009-2015. Revue en 2014
[7] OMS-Burundi. Stratégie de coopération avec le pays 2009-2015. Revue en 2014
[8] EDS-Burundi 2010
[9] Countdown to 2015. Maternal, Newborn & Child. Burundi. The Report 2014
[10] Countdown to 2015. Maternal, Newborn & Child. Burundi. The Report 2014
[11] Countdown to 2015. Maternal, Newborn & Child. Burundi. The Report 2014
[12] EDS-Burundi 2010
[13] Rapport du MEBPHASG 2016
[14] Rapport sur l'evaluation rapide conjointe suite à la catastrophe des 9-10 février 2014 aux alentours de Bujumbura, par la Plateforme Nationale de prevention des risques et Gestion des Catastrophes, le Ministère des Finances, la Banque mondiale, l'Union Européenne et l'OIM
[15] Données d'UNHCR de 2016.
[16] Rapport sur l'evaluation rapide conjointe suite à la catastrophe des 9-10 février 2014 aux alentours de Bujumbura, par la Plateforme Nationale de prevention des risques et Gestion des Catastrophes, le

- Ministère des Finances, la Banque mondiale, l'Union Européenne et l'OIM
- OMS, Ministre de Santé des Départements [illegible]
- Rapport sur l'évaluation rapide conjointe suite à la catastrophe des 9-10 février 2014 aux alentours de Bujumbura par la Plateforme Nationale de prévention des risques et Gestion des Catastrophes, le Ministère des Finances, la Banque mondiale, l'Union Européenne et l'OIM
- Données de la CVR